

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

STATE OF MISSISSIPPI, *et al.*,

Plaintiffs,

v.

XAVIER BECERRA, in his official capacity
as Secretary of Health and Human Services,
et al.,

Defendants.

Civil Action No. 1:22-cv-00113-HSO-RPM

**SUPPLEMENTAL CERTIFICATION OF THE
ADMINISTRATIVE RULEMAKING RECORD**

I, Sheli Harris, Deputy Director, Regulations Development Group, Office of Strategic Operations and Regulatory Affairs, Centers for Medicare & Medicaid Services (CMS), United States Department of Health and Human Services, certify that, to the best of my knowledge, the materials listed in the accompanying Supplemental Administrative Rulemaking Record Index, in addition to the materials listed in the Administrative Rulemaking Record Index filed in this case on July 7, 2023, comprise the administrative rulemaking record for the captioned case, which concerns a challenge to the IA_AHE_8 – Create and Implement an Anti-Racism Plan activity included in the Medicare Merit-Based Incentive Payment System (MIPS) improvement activity inventory (86 Fed. Reg. 64,996, 65,969-70 (Nov. 19, 2021)). The additional materials were inadvertently omitted and are included to correct that oversight.

Executed this 3rd day of August, 2023, in Baltimore, Maryland.

Sheli Harris
Deputy Director
Regulations Development Group
Office of Strategic Operations and Regulatory Affairs
Centers for Medicare & Medicaid Services
United States Department of Health and Human Services